



B I L L

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Improve the Procedure of the Civil Bill Courts of the city and county of Dublin. A.D. 1906.

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1. This Act shall be cited as the Dublin Civil Bill Act, 1906. Short title.
2. A seal for the civil bill courts of the county of Dublin and county of the city of Dublin shall be provided, kept, and used in the manner prescribed by the Lord Chancellor, in rules which he is hereby authorised to make under this Act. Every decree, dismiss, or order of said courts purporting to be sealed with the seal so prescribed shall be admissible in evidence in all courts without further proof. Seal to be used as prescribed by Lord Chancellor.
3. Every decree, dismiss, or order made under his civil bill jurisdiction in the county of Dublin or the county of the city of Dublin by the Recorder of Dublin shall be sealed with the prescribed seal, and, when so sealed shall, for all purposes whatsoever, have the like validity, force, and effect as a decree, dismiss, or order signed by the said Recorder now has. Decrees, dismisses, and orders to be sealed.
4. In all appeals from the Recorder of Dublin under the application of section seven of the provisions of the County Court Amendment (Ireland) Act, 1882, the four days for the giving and lodging the notice and making the lodgment of money or perfecting security in the said Act mentioned shall run from the actual day and date of the making and pronouncing of the decree, dismiss, or order appealed from, and the said Act, in its application to the city and to the county of Dublin, shall be varied to the extent aforesaid. The four days for appealing shall run from actual date of decision.

[Bill 226.]

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A.D. 1906.

Power to postpone, by order in writing, opening of a sitting to a date subsequent to day fixed therefor.

5. The Recorder of Dublin, whenever it appears to him that from any unavoidable cause the opening of a sitting or session of the civil bill court in the city or county of Dublin cannot conveniently or properly be opened or proceeded with on the day fixed therefor, may, by order in writing signed by him, postpone the opening of such sitting or session to a subsequent day named in the said order. 5

Extension to all other classes of actions of the powers given by section 33 of the 40 & 41 Vict. c. 56. in equity cases.

6. In all actions (other than equity actions falling within section thirty-three of the County Officers and Courts (Ireland) Act, 1877) in which the civil bill courts of the city and of the county of Dublin have jurisdiction under the several statutes in that behalf conferring jurisdiction on the said courts, the Recorder of Dublin, in addition to the powers and authorities in the said Acts shall, for the purposes of the jurisdiction thereby respectively conferred, but limited to the amounts therein, have all the powers and authorities of a judge of the King's Bench Division of the High Court sitting at chambers, including where goods seized under a civil bill decree are claimed by a person other than the judgment debtor, the power of making interpleader orders and hearing and disposing of same summarily, and including the making of orders for attachment of debts due or payable to judgment debtors under civil bill decrees. The powers and authorities given by this section to the Recorder shall be exercised in the prescribed manner under rules to be made by the authority in this Act mentioned. 15 20 25

Power to Lord Lieutenant in Council to order civil bill jurisdiction of Recorder in county of Dublin to be exercised within the city and on or subsequent to such order prescribe the manner of the exercise of civil bill jurisdiction of Recorder.

7. The Lord Lieutenant, in addition to the powers in the Civil Bill Courts (Ireland) Act, 1851, the Civil Bill Courts Procedure Amendment Act (Ireland), 1864, and the County Officers and Courts (Ireland) Act, 1877, or any Act amending the same may, by Order in Council, direct and appoint that all or any part of the civil bill jurisdiction of the Recorder in the county of Dublin, may be exercised by him at the same times and places when and where the civil bill jurisdiction of the city is exercised by him, and for that purpose only may declare the entire county or any civil bill division or divisions thereof a civil bill division of the city of Dublin. The Lord Lieutenant may, on or after any such Order, upon the recommendation of the Lord Chancellor, by Order in Council, make rules regulating practice, forms, and procedure in all cases, and generally prescribe therein for the exercise of the civil bill jurisdiction by this and the several Acts in that behalf conferred on the Recorder. 30 35 40